

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

6 ANTICIPATORY BAIL APPLICATION NO.1080 OF 2021

Vishal @ Babalu s/o Vijay Jakate,
Age 38 years, Occ. Labour,
R/o. Coil Nagar, Latur,
Tq. & Dist. Latur 413 512

...Applicant.

VERSUS

The State of Maharashtra

...Respondent.

...

Mr. M.L.Dharashive, Counsel for the applicant
Mr. V.S.Badakh, APP for the respondent-State

...

CORAM : PRAKASH D. NAIK, J.

DATE : 11th OCTOBER, 2021

PER COURT :

1] This is an application for anticipatory bail in CR No.165 of 2021 registered with Shivaji Nagar Police Station, Latur Dist.Latur for the offences punishable under Sections 326, 452, 323, 504 and 506 read with Section 34 of Indian Penal Code (for short, 'IPC'). The First Information Report (for short, 'FIR') was registered on 22.04.2021.

2] The case of the prosecution is that on 21.04.2021, the applicant and his wife abused the complainant, sister-in-law and the children. The complainant was also abused. Both of them assaulted the complainant by *katti* on waist.

3] The learned counsel for the applicant submitted that the co-accused had been granted anticipatory bail by this Court. The injuries

sustained by the complainant were not serious. The applicant may be granted anticipatory bail on any stringent condition.

4] Learned APP submitted that specific role has been attributed to the applicant. The co-accused who has been granted anticipatory bail is the wife of the applicant.

5] There are eye-witnesses to the incident. The assault is supported by the medical evidence. There are 15 antecedents against the applicant.

6] I have perused the First Information Report and the order passed by the Sessions Court. Specific over act has been attributed to the applicant. The wife of the applicant has been granted anticipatory bail. However, it is pertinent to note that apart from the role attributed to the applicant having used the weapon for assaulting the complainant there are 15 cases registered against him. Amongst them, one case is under Section 307 of IPC and 5 cases under Section 326 of IPC. There are eye-witnesses to the incident.

7] Considering the factual aspects, no case for grant of anticipatory bail is made out. Hence, I pass following order:

ORDERE

The Application stands rejected and disposed of.

(PRAKASH D. NAIK, J.)